

# ENFORCEMENT REPORT TO THE COMMISSION FOR OCTOBER 1995

December 13, 1995

## DOCKET NO. 95-1688-RPT

PROGRAMS	FORMAL ACTIONS INITIATED BY EDR/PETITION, DRAFT ORDER FOR EXPEDITED CASES, OR NOTICE LETTER OF FORMAL ADMIN. PENALTY ACTION		AGREED ORDERS ADOPTED BY THE COMMISSION		FISCAL YEAR 1996 YEAR-TO-DATE TOTAL ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS, AND DOLLAR AMOUNT WHICH WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE TNRCC			
	Month	FY	Month	FY	ASSESSED	DEFERRED	TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS <sup>1</sup>	SEPs
AGRICULTURE	0	1	2	3	\$8,720.00	\$720.00	\$8,000.00	\$0.00
AIR	12	20	15	32	\$684,778.00	\$0.00	\$684,778.00	\$0.00
INDUSTRIAL AND HAZARDOUS WASTE	6	8	3	6	\$140,120.00	\$72,988.00	\$67,132.00	\$0.00
MULTI-MEDIA <sup>2</sup>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MUNICIPAL SOLID WASTE	3	7	1	1	\$0.00	\$0.00	\$0.00	\$0.00
OCCUPATIONAL CERTIFICATION	0	4	0	0	\$0.00	\$0.00	\$0.00	\$0.00
PETROLEUM STORAGE TANKS	27	126	11	34	\$63,460.00	\$23,800.00	\$39,660.00	\$0.00
WATERSHED MANAGEMENT	3	6	5	14	\$78,909.00	\$30,870.00	\$48,039.00	\$0.00
WATER UTILITIES	24	28	3	4	\$3,530.00	\$0.00	\$3,530.00	\$0.00
TOTALS	75	200	40	94	\$979,517.00	\$128,378.00	\$851,139.00	\$0.00

<sup>1</sup> All penalties collected are paid into the State's General Revenue Fund with the exception of water well driller orders which are paid into the Water Well Driller's Fund.

<sup>2</sup> Multi-Media is a new section in the Enforcement Division which is not fully staffed yet and Multi-Media cases from the single media sections have not been transferred to this section yet.

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PROGRAMS	NOTICES OF VIOLATION (NOVS) ISSUED BY CENTRAL OFFICE		NOVS ISSUED BY FIELD OPERATIONS		CASES RESOLVED INFORMALLY - COMPLIANCE ACHIEVED THRU CENTRAL OFFICE ACTION WITHOUT ISSUANCE OF AN AGENCY ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS <sup>3</sup>	CASES BEING TRACKED FOR COMPLIANCE <sup>4</sup>
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	0	0	*	*	1	1	3	19
AIR	N/A <sup>5</sup>	N/A	225	422	8	14	286	1124
INDUSTRIAL AND HAZARDOUS WASTE	9	17	*	*	60	64	371	352
MULTI-MEDIA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MUNICIPAL SOLID WASTE	4	6	*	*	3	12	135	157
OCCUPATIONAL CERTIFICATION	17	17	N/A	N/A	8	15	61	15
PETROLEUM STORAGE TANKS	22	56	*	*	43	59	245	147
WATERSHED MANAGEMENT	0	1	*	*	20	23	160	254
WATER UTILITIES	423	1000	*	*	12	19	282	213
TOTALS	475	1097	*	*	155	207	1543	2281

\* The Field Operations Local Area Network Server is temporarily out of order, therefore NOV's for all regions/programs could not be determined for this report. The October NOV's will be added to the fiscal year total column in next month's enforcement report.

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<sup>3</sup> Cases which the enforcement programs in Central Office are working on in which agency action has not been filed yet. Agency action includes, orders issued, NOV's for those cases in which a formal action is not being pursued, corrective action directives, bilateral compliance agreements, or any other action which directs a facility to take action to achieve compliance within a specified period of time.

<sup>4</sup> Includes all cases which the enforcement programs are tracking for compliance once an agency action (as defined in footnote 3) is finalized.

<sup>5</sup> N/A = Not Applicable.

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PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TNRCC		CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL <sup>6</sup>	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS <sup>7</sup>		CASES REFERRED FROM THE REGIONAL OFFICES OR CENTRAL OFFICE FOR ENFORCEMENT ACTION BY CENTRAL OFFICE STAFF	
	Total	Backlog	Total	Month	FY	Month	FY
AGRICULTURE	1	0	1	0	0	0	0
AIR	286	116	41	1	2	21	39
INDUSTRIAL AND HAZARDOUS WASTE	89	44	67	0	0	8	15
MULTI-MEDIA	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MUNICIPAL SOLID WASTE	32	8	52	0	0	2	13
OCCUPATIONAL CERTIFICATION	24	0	53	0	0	4	22
PETROLEUM STORAGE TANKS	542	46	5	0	0	22	54
WATERSHED MANAGEMENT	28	7	17	0	0	1	2
WATER UTILITIES	137	10	111	1	2	7	59
TOTALS	1139	231	347	2	4	65	204

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<sup>6</sup> AG actions typically take from 6 months to 5 years from the date of referral to final judgment.

<sup>7</sup> These numbers are obtained from the Attorney General's Office